

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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David Leroy Reed,

Plaintiff,

v.

North Las Vegas Police Department, et al.,

Defendants.

Case No. 2:18-cv-01847-APG-DJA

Order

This is a prisoner civil rights action arising out of Defendants the North Las Vegas Police Department and its officers' (Chris Alimbuyao, Justin Miller, Jordan Ooms, and Laura Dennison) actions after arresting Plaintiff David Reed following a high-speed car chase. Plaintiff sues Defendants for damages, asserting federal and state claims for illegal search and seizure, excessive force, and due process violations. (ECF No. 29). After Plaintiff noticed his change of address from the High Desert State Prison to the Clark County Detention Center, Plaintiff's activity on the matter ceased. (ECF No. 65). From the Court's review of the docket, it appears that Plaintiff has not been receiving case-related mail at his new address and that Defendants have attempted to serve him using the wrong inmate number. (ECF No. 75). The Court thus grants Plaintiff additional time to respond to the three pending motions on the docket. (ECF Nos. 68, 69, and 72). The Court finds these matters properly resolved without a hearing. LR 78-1.

I. DISCUSSION.

Plaintiff is an inmate currently in the custody of the Clark County Detention Center ("CCDC") proceeding *pro se*. On August 26, 2021, Plaintiff filed a notice of change of address, explaining that he would be transferred from High Desert State Prison to CCDC the next day. (ECF No. 65). Nonetheless, it appears that Court notices continued to be delivered to High Desert State Prison, which were returned as undeliverable because Plaintiff had been discharged.

(ECF Nos. 67, 70, 71, 74, and 76). While Defendants served their motions on Plaintiff at his new address, they appear to have included his High Desert State Prison inmate number—79594—rather than his CCDC inmate number—1696429—likely resulting in the motions being declined at CCDC. (ECF Nos. 68, 69, and 72). Defendants explained that their attempt to serve their motion for summary judgment at Plaintiff’s CCDC address resulted in the envelope being returned marked “return to sender” and “unable to forward.” (ECF No. 75). However, a search on the CCDC inmate search reveals that Plaintiff is still in custody there under the inmate ID 1696429. *See Inmate In-Custody Status for 1696429*, CLARK COUNTY DETENTION CENTER, <http://redrock.clarkcountynv.gov/ccdcincustody/inCustodySearch.aspx> (last visited Jan. 5, 2022).

Based on this, the Court infers that Plaintiff has not been receiving legal mail related to this case, explaining his non-participation. As a result, Plaintiff has missed the deadlines to respond to three motions: a motion to compel (ECF No. 68), a motion for sanctions (ECF No. 69), and a motion for summary judgment (ECF No. 72). Plaintiff does not appear to be at fault for missing these deadlines, and the Court thus uses its broad discretion to grant Plaintiff forty-five additional days from the date of this order in which to respond to these three motions.

IT IS THEREFORE ORDERED that Plaintiff has until **Monday, February 21, 2022**—adjusted for the weekend—to respond to Defendants’ pending motions. (ECF Nos. 68, 69, and 72).

IT IS FURTHER ORDERED that the Clerk of Court is kindly directed to change Plaintiff’s address on the docket to:

David L. Reed
Inmate ID # 1696429
Clark County Detention Center
330 South Casino Center Blvd.
Las Vegas, NV 89101

IT IS FURTHER ORDERED that Defendants shall re-serve their motions (ECF Nos. 68, 69, and 72) on Plaintiff at the above address and with Plaintiff’s correct inmate ID.

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1 **IT IS FURTHER ORDERED** that the Clerk of Court is kindly directed to mail Plaintiff
2 a copy of this order and a copy of the October 20, 2021 *Klinge* order (ECF No. 73).
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5 DATED: January 5, 2022



DANIEL J. ALBREGTS
UNITED STATES MAGISTRATE JUDGE